

05/12/2010 04:40am

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1 WILDE & ASSOCIATES
 2 Gregory L. Wilde, Esq.
 3 Nevada Bar No. 004417
 4 208 South Jones Boulevard
 5 Las Vegas, Nevada 89107
 6 Telephone: 702 258-8200
 7 Fax: 702 258-8787

8 U.S. Bank National Association, as Trustee for CSMC Mortgage-Backed Pass-Through Certificates,
 9 Series 2006-4 by its attorney in fact Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home
 10 Mortgage, Inc. .
 11 08-76998

12 UNITED STATES BANKRUPTCY COURT
 13 DISTRICT OF NEVADA

14 In Re:

15 Michelle Denis

16 08-20818-lbr

17 Date:

18 Time:

19 Chapter 13

20 Debtor

21 DECLARATION IN SUPPORT OF THE MOTION
 22 FOR RELIEF FROM AUTOMATIC STAY

23 THE UNDERSIGNED DECLARES AND STATES:

24 1) I am over eighteen years of age and am employed by Wells Fargo Bank N.A.,
 25 servicer for Secured Creditor in the instant action. I have personal knowledge of the foregoing, except
 26 as to those matters stated under information and belief, and as to those matters I believe them to be
 true, and if called upon as a witness I could and would competently testify thereto.

2) I am employed as the Bankruptcy Loss Mitigation ^{Negotiator} with Wells Fargo bank,
 N.A. and I am familiar with Secured Creditor's treatment of loans involved in Bankruptcy
 proceedings. The records in question are maintained under my control and supervision.

3) These documents include, but are not necessarily limited to, loan documents,
 including promissory notes and deeds of trust and assignments kept in the ordinary course of business,

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1 entries are made in the records of U.S. Bank National Association, as Trustee for CSMC Mortgage-
2 Backed Pass-Through Certificates, Series 2006-4 by its attorney in fact Wells Fargo Bank, N.A.,
3 successor by merger to Wells Fargo Home Mortgage, Inc. ., at or about the time of any loan activity
4 reflecting that activity, and payment histories on the subject loan.

5 4) I have examined the files and records of Michele Denis for U.S. Bank National
6 Association, as Trustee for CSMC Mortgage-Backed Pass-Through Certificates, Series 2006-4 by its
7 attorney in fact Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc.
8 regarding the Note and Deed of Trust that are the subject of this Declaration and I have confirmed that
9 a loan modification was negotiated with debtor in December 2009. Any suspense funds were applied to
10 debtor's account as follows:
11

12 12/29/09 \$5990.43 in SUSPENSE
13 APPLIED AS FOLLOWS:
14 LATE CHARGE \$1325.24
15 RECO FEES \$247.53
16 BAD CHECK \$0.00
17 INSPECTION \$80.00
18 TOTAL \$1652.77
19 SUSPENCE BALANCE: \$4247.66

20 The remaining suspense funds were applied to the October 2009 through December 2009 post loan
21 modification payments.
22
23

24 5) On April 20, 2010 check #1351 dated 4/12/10 and in the amount of \$1,857.00 was
25 received and applied to the January 2010 post petition payment. Debtor is now due and owing as
26 follows:

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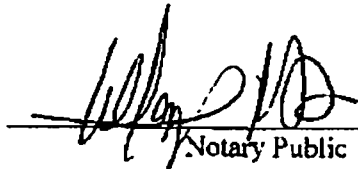
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| | |
|--|------------|
| 3 Monthly Payments at \$1,856.65 (February 1, 2010 - April 1, 2010) | \$5569.95 |
| 4 Late Charges at \$81.65 (January 1, 2010 - April 1, 2010) | \$326.60 |
| Motion for Relief Filing Fee | \$150.00 |
| Attorneys Fees | \$750.00 |
| Suspense | (\$426.13) |
| Total | \$6,370.42 |

I declare under penalty of perjury that the foregoing is true and correct.

BY: 

SUBSCRIBED AND SWORN TO before me, the undersigned notary public, on the April 19, 2010.


Notary Public



WILDE & ASSOCIATES

Electronically Filed on _____

Gregory L. Wilde, Esq.

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and

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U.S. Bank National Association, as Trustee for CSMC Mortgage-Backed Pass-Through Certificates,
Series 2006-4 by its attorney in fact Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home
Mortgage, Inc. .

08-76998

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

08-20818-lbr

Date:

Michelle Denis

Time:

Chapter 13

Debtor

CERTIFICATE OF MAILING1. On 5/11/10 I served the following document(s):DECLARATION IN SUPPORT OF THE MOTION FOR RELIEF FROM AUTOMATIC
STAY

2. I served the above-named document(s) by the following means to the persons as listed below:

X a. ECF System

Sam Benevento

generaldelivery@nevlawyers.com

Attorney for Debtor

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1 Rick A. Yarnall
2 edfmail@lasvegas13.com
3 Trustee

4 **X b. United States mail, postage fully prepaid:**

5 Sam Benevento
6 1945 E. Warm Springs Road
7 Las Vegas, NV 89119
8 Attorney for Debtor

9 Rick A. Yarnall
10 701 Bridger Avenue #820
11 Las Vegas, NV 89101
12 Trustee

13 Michelle Denis
14 324 Mount Hope St.
15 Henderson, NV 89014
16 Debtor

17 Owen Loan Servicing
18 Attn: Managing Agent
19 12650 Ingenuity Drive
20 Orlando, FL 32826

21 IRS
22 Attention: Managing Agent
23 110 City Parkway, MS 5028
24 Las Vegas, NV 89106

25 **□ c. Personal Service**

26 I personally delivered the document(s) to the persons at these addresses:

□ 1. For a party represented by an attorney, delivery was made by handing the document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by leaving the document(s) in a conspicuous place in the office.

□ 2. For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

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☐ d. By direct mail

Based upon the written assignment of the parties to accept service by email or a court order. I caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. By fax transmission

Based upon the written assignment of the parties to accept service by fax transmission or a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 11th day of May, 2010.

By: Jamie Miller